

BLAKELY SOKOLOFF TAYLOR & ZAFMAN

A LIMITED LIABILITY PARTNERSHIP INCLUDING LAW CORPORATIONS

TELEPHONE (408) 720-8300

INTELLECTUAL PROPERTY LAW

OTHER OFFICES

FACSIMILE (408) 720-8383

SILICON VALLEY

LOS ANGELES, CA

BSTZ_MAIL@BSTZ.COM

1279 OAKMEAD PARKWAY
SUNNYVALE, CALIFORNIA 94085-4040

ORANGE COUNTY/COSTA MESA, CA

WWW.BSTZ.COM

SAN JOSE, CA

DENVER, CO

PORTLAND/BEAVERTON, OR

SEATTLE, WA

FACSIMILE TRANSMITTAL SHEETDELIVER TO Mail Stop AmendmentFACSIMILE NO.: (571) 273-8300 TELEPHONE NO.: _____FROM: Michelle Begay for Marina PortnovaDATE: July 23, 2007TOTAL NUMBER OF PAGES INCLUDING COVER SHEET: 15OPERATOR: Michelle Begay OUR REF.: 42P12368**Message:**

Application No.: 10/002,333

RECEIVED
CENTRAL FAX CENTER
JUL 23 2007

Enclosed please find the Amendment for the above case.

Thank you,

Michelle Begay
 Secretary to Marina Portnova
 (408) 720-8300 x3493

IF YOU DO NOT RECEIVE ALL THE PAGES, OR IF THERE IS ANY DIFFICULTY IN RECEIVING, PLEASE CALL (408) 720-8300 AND ASK FOR THE OPERATOR NAMED ABOVE.

JUL 23 2007

AMENDMENT TRANSMITTALPATENT

Application No.: 10/002,333
 Filing Date: November 14, 2001
 First Named Inventor David Emerson
 Examiner's Name: Nguyen, Phuongchau
 Art Unit: 2616
 Attorney Docket No.: 042390.P12368

An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.

- Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.
 Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.
 Applicant(s) claim small entity status (37 CFR 1.27).

ATTACHMENTS

- Preliminary Amendment
 Amendment/Response with respect to Office Action
 Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal)
 Notice of Appeal
 RCE (Request for Continued Examination)
 Supplemental Declaration
 Terminal Disclaimer (reminder: If executed by an attorney, the attorney must be properly of record)
 Information Disclosure Statement (IDS)
 Copies of IDS citations
 Petition for Extension of Time
 Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)
 Cross-Reference to Related Application(s)
 Certified Copy of Priority Document
 Other: _____
 Other: _____
 Check(s) \$ _____
 Postcard (Return Receipt)

SUBMITTED BY:

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TYPED OR PRINTED NAME: Marina PortnovaSIGNATURE: M. PortnovaREG. NO.: 45,750DATE: July 23, 2007ADDRESS: 12400 Wilshire Boulevard, Seventh FloorLos Angeles, California 90025TELEPHONE NO.: (408) 720-8300FACSIMILE TRANSMITTAL

I hereby certify that this correspondence is being transmitted by facsimile to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, in accordance with 37 CFR § 1.6(d), on the date shown below.

on July 23, 2007

Date of transmission

Michelle Begay

Name of Person Faxing Correspondence

Michelle K.

Signature

July 23, 2007

Date

(10/14/03)

Send to: COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, Virginia 22313-1450

JUL 23 2007
Page 1 of 3**FEE TRANSMITTAL FOR FY 2007**

(Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

TOTAL AMOUNT OF PAYMENT (\$) \$00.00**Complete if Known:**

Application No. 10/002,333
 Filing Date November 14, 2001
 First Named Inventor David Emerson
 Examiner Name Nguyen, Phuongchau
 Art Unit 2616
 Attorney Docket No. 042390.P12368

Applicant claims small entity status. See 37 CFR 1.27.**METHOD OF PAYMENT** (check all that apply)

Check Credit Card Money Order None Other (please identify)

Deposit AccountDeposit Account Number : 02-2666

Deposit Account Name:

 The Director Is Authorized to do the following with respect to the above-identified Deposit Account: Charge fee(s) indicated below. Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application. Charge fee(s) indicated below except for the filing fee Credit any overpayments. Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.Warning: Information on this form may become public. Credit card information should not be included on this form.
Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Large Entity		Small Entity		Fee Description	Fees Paid (\$)
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1011	300	2011	150	Utility application filing fee	00.00
1111	500	2111	250	Utility search fee	
1311	200	2311	100	Utility examination fee	
1012	200	2012	100	Design application filing fee	430/215
1112	100	2112	50	Design search fee	
1312	130	2312	65	Design examination fee	
1013	200	2013	100	Plant filing fee	660/330
1113	300	2113	150	Plant search fee	
1313	160	2313	80	Plant examination fee	
1004	300	2004	150	Reissue filing fee	1,400/700
1114	500	2114	250	Reissue search fee	
1314	600	2314	300	Reissue examination fee	
1005	200	2005	100	Provisional application filing fee	
SUBTOTAL (1) \$ 00.00					

- 1 -

Based on Form PTO/SB/17 (02-07) as modified by BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP on 2/20/07

JUL 23 2007
Page 2 of 3**2. EXCESS CLAIM FEES****Fee Description**

<u>Large Entity</u>	<u>Small Entity</u>
<u>Fee</u>	<u>Fee</u>
<u>Code</u>	<u>Code</u>
1202	50
2202	25
1201	200
2201	100
1203	360
2203	180
1204	200
2204	100
1205	50
2205	25

Fee Description

Each claim over 20
Each independent claim over 3
Multiple dependent claims, if not paid
Reissue: each claim over 20 and more than in the original patent
Reissue: each independent claim more than in the original patent

Extra Claims Fee Fees Paid (\$)

Total Claims 9 - 20 or HP = 0 X = 00.00
 HP = highest number of total claims paid for, if greater than 20

Independent Claims 3 - 3 or 9 = 0 X = 00.00
 HP = highest number of independent claims paid for, if greater than 3

Multiple Dependent Claims**SUBTOTAL (2) \$ 00.00****3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 C.F.R. 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee from below</u>	<u>Fees paid (\$)</u>
_____	- 100 = <u>0</u> / 50 = _____ (round up to whole number)	X <u> </u> = <u>00.00</u>		

Large Entity Small Entity

<u>Fee</u>	<u>Fee</u>	<u>Fee</u>	<u>Fee</u>	<u>Fee Description:</u>
<u>Code</u>	<u>(\$)</u>	<u>Code</u>	<u>(\$)</u>	<u>Application size fee for each additional group of 50 sheets beyond initial 100 sheets (count spec & drawings except sequences & program listings):</u>
1081	250	2081	125	Utility
1082	250	2082	125	Design
1083	250	2083	125	Plant
1084	250	2084	125	Reissue

SUBTOTAL (3) \$ 00.00

JUL 23 2007

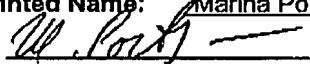
Page 3 of 3

FEE CALCULATION (continued)

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Fees Paid (\$)

<u>Large Entity</u>	<u>Small Entity</u>		
Fee	Fee	Fee	Fee
Code	(\$)	Code	(\$)
1051	130	2051	65
1052	50	2052	25
1053	130	1053	130
1812	2,520	1812	2,520
1813	8,800	1813	8,800
1804	920*	1804	920*
1805	1,840*	1805	1,840*
1251	120	2251	60
1252	450	2252	225
1253	1,020	2253	510
1254	1,590	2254	795
1255	2,160	2255	1,080
1401	500	2401	250
1402	500	2402	250
1403	1,000	2403	500
1451	1,510	1451	1,510
1452	500	2452	250
1453	1,500	2453	750
1501	1,400	2501	700
1502	800	2502	400
1503	1100	2503	550
1462	400	1462	400
1463	200	1463	200
1464	130	1464	130
1807	50	1807	50
1806	180	1806	180
8021	40	8021	40
1809	790	2809	395
1814	130	2814	65
1810	790	2810	395
1801	790	2801	395
1802	900	1802	900
1504	300	1504	300
1505	300	1505	300
1803	130	1803	130
1808	130	1808	130
1454	1,370	1454	1,370
Other fee (specify)			
Other fee (specify)			
			SUBTOTAL (4) \$ 00.00
*Reduced by Basic Filing Fee Paid			
SUBMITTED BY:			
Typed or Printed Name:	Marina Portnova		
Signature:		Date:	July 23, 2007
Reg. Number:	45,750	Telephone Number:	408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

- 3 -

Based on Form PTO/SB/17 (02-07) as modified by BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP on 2/20/07

RECEIVED 006
CENTRAL FAX CENTER

JUL 23 2007

Attorney's Docket No.: 042390.P12368

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
 David Emerson) Examiner: Nguyen, Phuongchau
)
 Application No.: 10/002,333) Art Unit: 2616
)
 Filed: November 14, 2001)
)
 For: Computing System and Method To)
 Select Data Packet)

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO OFFICE ACTION

Sir:

In response to the Non-Final Office Action mailed April 23, 2007, Applicant respectfully requests the Examiner to consider the following remarks.

FACSIMILE TRANSMITTAL

I hereby certify that this correspondence is being transmitted by facsimile to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, in accordance with 37 CFR § 1.6(d), on the date shown below.

on July 23, 2007

Date of transmission

Michelle Begay

Name of Person Faxing Correspondence

Michelle BegayJuly 23, 2007

Signature

Date

42390.P12368

1